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PATENT
Attorney Docket No.: 20695C-008700US
Client Ref. No.: PL-279.00 US

TOWNSEND and TOWNSEND and CREW LLP

By: Malinda Osgit

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Varadi et al.

Application No.: 10/816,099

Filed: March 31, 2004

For: KITS FOR MEASURING
THROMBIN GENERATION

Customer No.: 44183

Confirmation No. 9454

Examiner: Rosanne Kosson

Technology Center/Art Unit: 1652

DECLARATION UNDER 37 C.F.R. §
1.132

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

We, Katalin Varadi, Peter Turecek, Brigitte Keil, Sylvia Peyrer-Heimstaett, and Hans-Peter Schwarz being duly warned that willful false statements and the like are punishable by fine or imprisonment or both (18 U.S.C. § 1001), and may jeopardize the validity of the patent application or any patent issuing thereon, state and declare as follows:

1. All statements herein made of my own knowledge are true, and statements made on information or belief are believed to be true and correct.

2. We are the named and true inventors in the above-referenced patent application, and we are the inventors of the subject matter of the claims under examination as of the date of this Declaration.

3. Katalin Varadi, Peter Turecek, and Hans-Peter Schwarz are among the co-authors of Váradi *et al.*, "Monitoring the bioavailability of FEIBA with a thrombin generation assay," *J. Thromb. Haemostasis* 1:2374-2380, 2003. To the extent that the subject matter disclosed and claimed in the present application is also disclosed in the Váradi *et al.* publication, we are inventors of that subject matter. Brigitte Keil and Sylvia Peyrer-Heimstaett are not

named on the Varadi *et al.* publication because their contribution to the currently claimed invention is not disclosed in the Váradi *et al.* publication.

4. The other co-authors on the publication, C. Negrier, E. Berntorp, J. Astermark, J.-C. Bordet, M. Morfini, and S. Linari, are not inventors of the subject matter claimed in the instant application. These co-authors provided patient blood samples that were analyzed in the work reported in the Váradi *et al.* publication. Thus, although C. Negrier, E. Berntorp, J. Astermark, J.-C. Bordet, M. Morfini, and S. Linari co-authored the Váradi *et al.* publication, they are not inventors of the subject matter claimed in the instant application.

Dated: Oct. 08. 2009 By Katalin Varadi

Katalin Varadi

Dated: Oct 17. 2009 By Peter Turecek

Peter Turecek

Dated: Oct. 08. 2009 By Brigitte Keil

Brigitte Keil,

Dated: Oct. 08. 2009 By Sylvia Peyrer-Heimstaett

Sylvia Peyrer-Heimstaett

Dated: Oct 14. 2009 By Hans-Peter Schwarz

Hans-Peter Schwarz